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Attorneys for Specially Appearing Defendants
7 ADVANTAGE SPRING SHIPPING, LLC, ADVANTAGE TANKERS, LLC,
and FLEETSCAPE SPRING LLC
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10 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA

11 PSARA ENERGY, LTD.,) Case No. 3:20-cv-04102-WHO
12)
Plaintiff,) **IN ADMIRALTY**
13)
vs.) **RESTRICTED APPEARANCE RULE E(8)**
14)
SPACE SHIPPING LTD., GEDEN HOLDINGS) **[PROPOSED] ORDER VACATING**
15 LTD.; ADVANTAGE SPRING SHIPPING,) **MARITIME ATTACHMENT AND**
LLC; GENEL DENIZCILIK NAKLIYATI A.S.) **RELATED ORDERS**
16 A/K/A GEDEN LINES; ADVANTAGE)
TANKERS, LLC; MEHMET EMIN) Date: June 26, 2020
KARAMEHMET; GULSUN NAZLI) Time: 10:00 a.m.
17 KARAMEHMET-WILLIAMS; TUGRUL) Place: Courtroom 2, 17th Floor
TOKGOZ; MEHMET MAT; FLEETSCAPE) Judge: Hon. William H Orrick
18 SPRING, LLC; FLEETSCAPE ADVANTAGE)
HOLDINGS, LLC,)
19)
Defendants.)
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**ORDER VACATING MARITIME
ATTACHMENT AND RELATED ORDERS**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

On June 19, 2020, Plaintiff PSARA ENERGY, LTD. filed the Verified Complaint for Attachment Pursuant to Rule B of the Supplemental Rules for Admiralty for damages amounting to US\$17,087,362.00, inclusive of interest, costs and reasonable attorney's fees, and submitted an *Ex Parte* Application for issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure. Concurrently, the Plaintiff requested an Order of Substitute of Custodian ("Custodian Order"), and an Order to U.S. Marshal re: Process ("Marshal Order").

On June 22, 2020, the Court issued such Order of Maritime Attachment and related Orders. The attachment was served on June 22, 2020, and the Order of Attachment allowed the vessel to shift to a berth or anchorage within the Northern District of California. A substitute custodian thereafter took possession of the vessel and on June 23, 2020, the vessel shifted under pilotage to anchorage where it remains under attachment.

On June 24, 2020, Advantage Defendants filed an Application and Notice of Motion and a supporting Memorandum of Points and Authorities to Hear promptly, Defendants' Application for a Prompt Rule E(4)(f) Hearing and Motion to Vacate Maritime Attachment and Related Orders.

The Court, after full consideration of the papers submitted by the Advantage Defendants, the Plaintiff's opposition papers and all documents on file with the Court, the Court granted the Advantage Defendants' Motion to Vacate Attachment and Related Orders, finding that Plaintiff had failed to establish a *prima facie* admiralty claim against Advantage Defendants.

NOW THEREFORE:

IT IS HEREBY ORDERED that the Process of Maritime Attachment and Garnishment issued by this Court on June 22, 2020, against all tangible or intangible property belonging to, claimed

1 by or being held for the Defendants by any garnishees within this District, including but not limited to
2 the vessel M/T *ADVANTAGE SPRING*, HER ENGINES, BOILER, TACKLE, APPURTENANCES,
3 FURNITURE, GEAR, ETC. as well as any electronic fund transfers originated by, payable to, or
4 otherwise for the benefit of Defendants, whether to or from the garnishee banks or any other electronic
5 fund transfers, in an amount of up to US\$17,087,362 pursuant to Rule B of the Supplemental Rules
6 for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure and all the related
7 orders, including the Custodian Order, the Marshal Order, the Notice of Attachment, and the
8 Suspension Order are hereby VACATED.

9 IT IS FURTHER ORDERED that the vessel M/T *ADVANTAGE SPRING*, HER
10 ENGINES, BOILER, TACKLE, APPURTENANCES, FURNITURE, GEAR, ETC. as well as any
11 and all funds that have been attached be immediately RELEASED.

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15 DATED: _____

16 U.S. DISTRICT JUDGE WILLIAM H. ORRICK
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